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Attorney Docket No. 990301

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Vassilovski and Tong) For: METHOD AND APPARATUS FOR
Serial No. 09/698,526) CONFIGURATION
Filed: October 26, 2000) MANAGEMENT FOR A
Group No. 2124) COMPUTING DEVICE

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition to withdraw the holding of abandonment based on the following:

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date:

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office on April 5, 2005.

Depositor's Name: Carrie Casey

(type or print name)

Signature: 

Attorney Docket No. 990301

1. A Final Office Action was mailed on January 14, 2004.
2. Applicants filed a Response on April 8, 2004.
3. An Advisory Action was mailed on May 5, 2004.
4. A Telephone Interview was conducted on May 26, 2004.
5. Applicants filed a Response by facsimile based on the Advisory Action and the Telephone Interview on May 27, 2004, believing that the claims, which were amended based on a telephone interview with the Examiner and his Supervisor, would be in condition for allowance.
6. The Examiner called on September 15, 2004, stating that the application is now abandoned for failure to respond to Advisory Action. During the conversation, the Examiner stated that he had not received the facsimile response filed on May 27, 2004.
7. Applicants filed a Petition to Withdraw the Holding of Abandonment on September 17, 2004, submitting a copy of the facsimile filing of May 27, 2004, and a copy of the facsimile confirmation sheet to prove the transmission was successful. Accordingly, the petition and extension of time were granted. However, Applicants did not receive any correspondence about this case until March 22, 2005, when the Examiner issued an Advisory Action and a Notice of Abandonment.

Based on Applicants' evidence of facsimile filing on May 27, 2004, and the granted petition to withdraw the holding of abandonment, Applicants hereby contend that the application should not be in fact abandoned and request the withdraw of the holding of abandonment. Applicants also enclose an RCE for this case.